

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

TOBY SIDLO, on behalf of himself,)
and all others similarly situated,)

Plaintiff(s),

vs.

Civ. No. 15-00269 ACK-KSC
[CONSOLIDATED]

KAISER PERMANENTE INSURANCE
COMPANY, a California non-profit
corporation, KAISER FOUNDATION
HEALTH PLAN, INC., a foreign non-
profit corporation, and DOE
DEFENDANTS 1-50,

Defendants.

KAISER FOUNDATION HEALTH PLAN,
INC., a foreign non-profit
corporation,

Plaintiff,

vs.

Civ. No. 16-00073 ACK-KSC
[CONSOLIDATED]

HAWAII LIFE FLIGHT CORPORATION, a
Hawaii corporation, and AIR
MEDICAL RESOURCE GROUP, INC., a
Utah Corporation,

Defendants.

HAWAII LIFE FLIGHT CORPORATION, a
Hawaii corporation,

Counterclaim Plaintiff,

vs.

KAISER FOUNDATION HEALTH PLAN,
INC., a foreign non-profit
corporation,

)))
Counterclaim Defendant.)
_____)

ORDER DECONSOLIDATING CASES

On July 15, 2015, Toby Sidlo, on behalf of himself and all others similarly situated, filed a class action complaint against Kaiser Permanente Insurance Company ("KPIC") and Kaiser Foundation Health Plan, Inc. ("KFHP").¹ Pl. Toby Sidlo's Class Action Compl., ECF No. 1.² Later, on February 18, 2016, KFHP filed a Complaint against Hawaii Life Flight Corporation ("HLF") and Air Medical Resource Group, Inc. ("AMRG"). KFHP's Compl. Against HLF and AMRG for Violation of 29 U.S.C. § 1132(a)(3), Kaiser Found. Health Plan, Inc. v. Haw. Life Flight Corp., et al., Civ. No. 16-00073 ACK-KSC (D. Haw. Feb. 18, 2016), ECF No. 1. On April 6, 2016, this Court consolidated the two actions for purposes of discovery. Order Consolidating Cases, ECF No. 85 (noting that both cases "involve a determination as to whether Plaintiff Toby Sidlo's . . . purported assignment of rights to [HLF] . . . was valid," and that "consolidation will allow all parties in interest to

¹ On June 23, 2016, Sidlo filed a First Amended Class Action Complaint asserting additional claims against KPIC and KFHP. ECF No. 227.

² Unless otherwise noted, all Electronic Case File ("ECF") citations refer to the civil docket for Sidlo v. Kaiser Permanente Insurance Company, et al., Civ. No. 15-00269 ACK-KSC.

present arguments on this issue and will promote judicial economy").

On November 16, 2016, counsel for KFHP and KPIC sent a letter to the Court indicating that the parties to Sidlo v. Kaiser Permanente Insurance Company, et al., Civ. No. 15-00269 ACK-KSC wish to deconsolidate their case from Kaiser Foundation Health Plan, Inc. v. Hawaii Life Flight Corporation, et al., Civ. No. 16-00073 ACK-KSC, in order that judgment may be entered in the Sidlo matter following the Court's summary judgment order dated October 31, 2016. ECF No. 509.

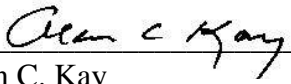
The Court's October 31, 2016 summary judgment order having disposed of all claims in Sidlo's First Amended Complaint,³ the Court finds that consolidation of these two cases is no longer necessary to facilitate discovery or promote judicial economy. The Court therefore orders that Sidlo v. Kaiser Permanente Insurance Company, et al., Civ. No. 15-00269 ACK-KSC be deconsolidated from Kaiser Foundation Health Plan, Inc. v. Hawaii Life Flight Corporation, et al., Civ. No. 16-00073 ACK-KSC.

³ The Court granted summary judgment in favor of KFHP and KPIC on Counts I through V of Sidlo's First Amended Complaint and dismissed Sidlo's Count VI without prejudice upon determining that it was not yet ripe for adjudication. See ECF No. 487.

IT IS SO ORDERED.

DATED: Honolulu, Hawai'i, November 30, 2016.





Alan C. Kay
Sr. United States District Judge

Sidlo v. Kaiser Permanente Insurance Company, et al., Civ. No. 15-00269
ACK-KSC and Kaiser Foundation Health Plan, Inc. v. Hawaii Life Flight
Corporation, et al., Civ. No. 16-00073 ACK-KSC, Order Deconsolidating Cases.